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David L. Wisz  
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Birmingham, MI 48009

**COPY MAILED**

Paper No. 10

JUN 04 2003

OFFICE OF PETITIONS

In re Application of  
Paul John GRIFFITHS  
Application No. 09/524,436  
Filed: March 14, 2000  
Attorney Docket No. 60130-390

:  
: DECISION GRANTING STATUS  
:  
: UNDER 37 CFR 1.47  
:

This is in response to the "Renewed Petition Under 37 CFR 1.47(b)", filed September 26, 2001.

The petition is GRANTED.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the statement of facts of David L. Wisz establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration. In addition, petitioner has shown that Meritor HVS Limited has a proprietary interest in the above-identified application with the copy of the employment agreement showing that the inventor had an obligation to assign any patent rights to Meritor HVS Limited. The petition fee has been paid on July 6, 2000. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage. It is noted that a declaration was filed with the originally-presented petition pursuant to 37 CFR 1.47(b) on July 6, 2000. The declaration, which was executed by David L. Wisz acting on behalf of and as an agent for Meritor HVS Limited, has been accepted as complying with 37 CFR §§1.63 and 1.64. See MPEP §409.03. The declaration filed with the renewed petition has been placed in the application file but will not be used; any convenience to petitioner caused by the filing this additional declaration is regretted.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status and the Office of Initial Patent Examination is authorized to

- (1) accept this application under Rule 1.47(b);
- (2) process this application with the inventor being Paul John Griffiths and

with the indication that the application was filed by Meritor HVS, Limited as the party in interest under 35 USC §118, using the declaration filed on July 6, 2000, as noted above.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

Inquiries regarding this communication may be directed to B. Dayoan at (703) 308-3865 or, in her absence, to the undersigned at (703) 305-1820.

A handwritten signature in black ink, appearing to read "Brian Hearn", with a stylized flourish at the end.

Brian Hearn  
Senior Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



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**Paul John Griffiths  
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Chester, Cheshire  
CH3 7EL, United Kingdom**

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**OFFICE OF PETITIONS**

In re Application of  
Paul John Griffiths  
Application No. 09/524,436  
Filed: March 14, 2000  
For: AIR SPRING AND PEDESTAL

Dear Mr. Griffiths:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to B. Dayoan at (703) 308-3865 or, in her absence, to the undersigned at (703) 305-1820. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

Brian Hearn  
Senior Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: David L. Wisz  
400 West Maple Road  
Suite 350  
Birmingham, MI 48009